

Remarks

Claims 23-30 and 32-34 are pending in the application, with claims 23 and 30 being the independent claims. Claim 31 is sought to be cancelled without prejudice or disclaimer to the subject matter therein. Claims 23 and 28-30 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested. Based on the foregoing amendments and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejection Under 35 U.S.C. § 112

On page 2 of the Office Action, claims 23-34 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claim 23 was rejected on page 2 for failing to define "n and m poles." Claim 23 was also rejected for lacking antecedent basis for "the bandpass filter". Claims 28 and 30 were rejected for lacking antecedent basis for the term "filter poles". Claim 30 was rejected for using the term "verses".

Claim 23 was amended to remove the "n and m" references and to change "the bandpass filter" to "the filter". Claims 28 and 29 were amended to remove "poles" from the preamble. Claim 30 was amended to change "verses" to "over". Accordingly, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

Obviousness-Type Double Patenting Rejections

Claims 23 - 34 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 - 21 of U.S. Patent No.

6,608,536. A terminal disclaimer is filed herewith to obviate the obviousness-type double patenting rejection. Accordingly, Applicant respectfully requests that the double patenting rejection be withdrawn.

Rejections under 35 U.S.C. § 102

On pages 3 and 4 of the Office Action, claims 23-25 and 28-34 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,836,863 to Seidel (hereinafter Seidel). Claims 23-34 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,076,248 to Norton (hereinafter Norton). For the reasons set forth below, Applicant respectfully traverses this rejection.

Claim 23 was amended so that: (1) first filter poles ***are each*** terminated in a corresponding resistor except for one of the said first filter poles; and (2) the second filter poles are ***directly series connected*** with each other.

Referring to Seidel, it is clear from FIG. 6 that each of the filter poles 60-1 to 60-n is not terminated in a corresponding separate resistor. Only the last filter pole 60-n is terminated in a resistor. Further, the second filter poles 61-1 to 61-n are not series connected because the output of 61-1, for example, is not connected to the input of 61-2. Filter poles 61-1 to 61-n are more appropriately described as being parallel connected. None the less, Applicants have further defined the second filter poles in claim 23 to be ***directly series connected*** in order to further prosecution. It is also noted that the filter poles 61-1 to 61-n are not directly series connected because of the intervening filter poles 60-1. Therefore, Seidel does not teach each and every feature of claim 23, and therefore does not anticipate claim 23.

Referring to Norton, it is clear from FIG. 7 that only the last filter pole of the filter poles 24, 25 is terminated in a resistor R_0 . Norton does not teach that each of the filter poles except for one are terminated in a separate corresponding resistor, as recited in claim 23. Accordingly, Norton also fails to teach each and every feature of claim 23, as amended.

Based on the discussion above, Applicant requests that the rejection under 35 U.S.C. § 102 of claim 23 be removed and that this claim and its respective dependent claims be passed to allowance. Claim 30 and its respective dependent claims have been similarly amended and are allowable for at least the same reasons.

Rejections under 35 U.S.C. § 103

Claims 26 and 27 were rejected over Seidel in view of U.S. Patent No. 2,041,098 to Whittle. Claims 26 and 27 depend from independent claim 23, which is allowable over Seidel for the reasons mentioned above. Whittle does not cure the defects of Seidel. Accordingly, the dependent claims 26 and 27 are allowable over Seidel in view of Whittle for being dependent on an allowable base claim, in addition to their own patentable features.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the

outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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